

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q65606

Kentaro KONISHI, et al.

Group Art Unit: 2628

Appln. No.: 09/919,989

Examiner: Kimbinh T. NGUYEN

Confirmation No.: 6406

Patent No.: 7,148,895

Filed: July 30, 2001

Issue Date: December 12, 2006

For: TIME-SERIES DATA PROCESSING DEVICE AND METHOD

**REQUEST RECONSIDERATION OF  
REQUEST FOR CERTIFICATE OF CORRECTION**

**ATTN: Certificate of Correction Branch**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

On January 10, 2007, Applicant filed Request for Certificate of Correction pursuant to the provisions of 37 C.F.R. § 1.322, requesting the Domestic Priority be added to the Letters Patent. Applicant is enclosing herewith copies of the Form PTO/SB/44 and evidence of Applicant's claim of domestic priority with the following documents: (1) a copy of the Application transmittal letter, (2) a copy of the executed Declaration and Power of Attorney, and (3) a copy of the Official Filing Receipt received from the USPTO.

Applicant received a Signed and Sealed Certificate of Correction changing the Foreign Priority of the Letters Patent rather than adding the Domestic Priority to the Letters Patent.

Applicant respectfully requests that a Certificate of Correction be provided that shows the Domestic Priority as indicated on the attached Form PTO/SB/44.

REQUEST RECONSIDERATION OF  
REQUEST FOR CERTIFICATE OF CORRECTION  
U.S. Patent No. 7,148,895  
Attorney Docket No.: Q65606

Since the error noted is believed to be the fault of the Patent and Trademark Office, the \$100.00 Certificate of Correction fee is not enclosed. If it is found to be to the contrary, please charge the Deposit Account No. 19-4880.

In view of the foregoing, issuance of the Certificate of Correction is respectfully requested.

Respectfully submitted,

/Nataliya Dvorson/  
Nataliya Dvorson  
Registration No. 56,616

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: August 13, 2007

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q65606

Kentaro KONISHI, et al.

Group Art Unit: 2628

Appln. No.: 09/919,989

Examiner: Kimbinh T. NGUYEN

Confirmation No.: 6406

Patent No.: 7,148,895

Filed: July 30, 2001

Issue Date: December 12, 2006

For: TIME-SERIES DATA PROCESSING DEVICE AND METHOD

**REQUEST FOR CERTIFICATE OF CORRECTION**

**ATTN: Certificate of Correction Branch**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:


Pursuant to the provisions of 37 C.F.R. § 1.322, please enter the attached Certificate of Correction.

Applicant is enclosing herewith evidence of Applicant's claim of domestic priority with the following documents: (1) a copy of the Application transmittal letter, (2) a copy of the executed Declaration and Power of Attorney, and (3) a copy of the Official Filing Receipt received from the USPTO.

Since the errors noted are believed to be the fault of the Patent and Trademark Office, we are not enclosing the \$100.00 Certificate of Correction fee. If it is found to be to the contrary, please charge our Deposit Account No. 19-4880.

In view of the foregoing, issuance of the Certificate of Correction is respectfully requested.

Respectfully submitted,

  
\_\_\_\_\_  
Nataliya Dvorson  
Registration No. 66,616

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: January 10, 2007

**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

PATENT NO: 7,148,895  
DATED: December 12, 2006  
INVENTOR(S): Kentaro KONISHI; Masaki USUI; Tatsuya OKAHARA

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

**Domestic Priority**

This application is a Continuation of PCT/JP00/00481 filed January 28, 2000.

MAILING ADDRESS OF SENDER:  
**SUGHRUE MION, PLLC**

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

PATENT NO. 7,148,895

No. of additional copies

0



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/919,989	07/30/2001	2176	550	Q65606	73	1	1

CONFIRMATION NO. 6406

## UPDATED FILING RECEIPT



\*OC000000006998220\*

SUGHRUE, MION, ZINN,  
MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, DC 20037-3213

Date Mailed: 10/30/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

Kentaro Konishi, Tokyo, JAPAN;  
Masaki Usui, Tokyo, JAPAN;  
Tatsuya Okahara, Tokyo, JAPAN;

## Assignment For Published Patent Application

SCALE INC.;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF PCT/JP00/00481 01/28/2000

## Foreign Applications

JAPAN 11-23071 01/29/1999

If Required, Foreign Filing License Granted 09/10/2001

Projected Publication Date: 02/07/2002

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

## Time-series data processing device and method

**Preliminary Class**

707

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

2p01121 #3

# Declaration and Power of Attorney for Patent Application

特許出願宣言書

## Japanese Language Declaration



私は、下欄に氏名を記載した発明として、以下の通り宣言する：

私の住所、郵便の宛先および国籍は、下欄に氏名に続いて記載したとおりであり、

名称の発明に関し、請求の範囲に記載した特許を求める主題の本来の、最初にして唯一の発明者である（一人の氏名のみが下欄に記載されている場合）か、もしくは本来の、最初にして共同の発明者である（複数の氏名が下欄に記載されている場合）と信じ、

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

TIME-SERIES DATA PROCESSING DEVICE AND

METHOD

その明細書を  
(該当するほうに印を付す)

☐ ここに添付する。

☐ \_\_\_\_\_ 日に出願番号

第 \_\_\_\_\_ 号として提出し、

\_\_\_\_\_ 日に補正した。  
(該当する場合)

the specification of which  
(check one)

☐ is attached hereto.

☒ was filed on July 30, 2001 as

Application Serial No. 09/919,989

and was amended on \_\_\_\_\_  
(if applicable)

私は、前記のとおり補正した請求の範囲を含む前記明細書の内容を検討し、理解したことを陳述する。

私は、連邦規則法典第37部第1章第56条(a)項に従い、本願の審査に所要の情報を開示すべき義務を有することを認める。

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

# Japanese Language Declaration

私は、合衆国法典第35部第119条、第172条、又は第365条に基づく下記の外国特許出願又は発明者証出願の外国優先権利益を主張し、さらに優先権の主張に係わる基礎出願の出願日前の出願日を有する外国特許出願又は発明者証出願を以下に明記する：

Prior foreign applications  
先の外国出願

(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願の年月日)
11-23071	JAPAN	29/01/1999
(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願の年月日)
(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願の年月日)
(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願の年月日)
(Number) (番号)	(Country) (国名)	(Day/Month/Year Filed) (出願の年月日)

私は、合衆国法典第35部第120条に基づく下記の合衆国特許出願の利益を主張し、本願の請求の範囲各項に記載の主題が合衆国法典第35部第112条第1項に規定の態様で先の合衆国出願に開示されていない限度において、先の出願の出願日と本願の国内出願日又はPCT国際出願日の間に公表された連邦規則法典第37部第1章第56条(a)項に記載の所要の情報を開示すべき義務を有することを認める。

(Application Serial No.) (出願番号)	(Filing Date) (出願日)
PCT/JP00/00481	January 28, 2000
(Application Serial No.) (出願番号)	(Filing Date) (出願日)

私は、ここに自己の知識に基づいて行った陳述がすべて真実であり、自己の有する情報及び信ずるところに従って行った陳述が真実であると信じ、更に故意に虚偽の陳述等を行った場合、合衆国法典第18部第1001条により、罰金もしくは禁固に処せられるか、又はこれらの刑が併科され、又はかかる故意による虚偽の陳述が本願ないし本願に対して付与される特許の有効性を損なうことがあることを認識して、以上の陳述を行ったことを宣言する。

I hereby claim foreign priority benefits under Title 35, United States Code §119, §172 or §365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority claimed  
優先権の主張

Yes あり	No なし
<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit of Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose any material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(現況) (Status)
Pending (特許済み、係属中、放棄済み) (patented, pending abandoned)
(現況) (Status)
(特許済み、係属中、放棄済み) (patented, pending abandoned)

I hereby declare that all statements made herein of my own knowledge are true; and further that all statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.



# Japanese Language Declaration

委任状： 私は、下記発明者として、以下の代理人をここに  
選任し、本願の手続きを遂行すること並びにこれに関する一  
切の行為を特許商標局に対して行うことを委任する。  
(代理人氏名及び登録番号を明記のこと)

POWER OF ATTORNEY: As a named inventor, I hereby  
appoint the following attorney(s) and/or agent(s) to  
prosecute this application and transact all business in the  
Patent and Trademark Office connected therewith. (list  
name and registration number)

I hereby appoint John H. Mion, Reg. No. 18,879; Donald E. Zinn, Reg. No. 19,046; Thomas J. Macpeak, Reg. No. 19,292;  
Robert J. Seas, Jr., Reg. No. 21,092; Darryl Mexic, Reg. No. 23,063; Robert V. Sloan, Reg. No. 22,775; Peter D. Olexy, Reg.  
No. 24,513; J. Frank Osha, Reg. No. 24,625; Waddell A. Biggart, Reg. No. 24,861; Robert G. McMorrow, Reg. No. 19,093;  
Louis Gubinsky, Reg. No. 24,835; Neil B. Siegel, Reg. No. 25,200; David J. Cushing, Reg. No. 28,703; John R. Inge, Reg. No.  
26,916; Joseph J. Ruch, Jr., Reg. No. 26,577; Sheldon I. Landsman, Reg. No. 25,430; Richard C. Turner, Reg. No. 29,710;  
Howard L. Bernstein, Reg. No. 25,665; Alan J. Kasper, Reg. No. 25,426; Kenneth J. Burchfiel, Reg. No. 31,333; Gordon Kit,  
Reg. No. 30,764; Susan J. Mack, Reg. No. 30,951; Frank L. Bernstein, Reg. No. 31,484; Mark Boland, Reg. No. 32,197; William  
H. Mandir, Reg. No. 32,156; Scott M. Daniels, Reg. No. 32,562; Brian W. Hannon, Reg. No. 32,778; Abraham J. Rosner, Reg.  
No. 33,276; Bruce E. Kramer, Reg. No. 33,725; Paul F. Neils, Reg. No. 33,102; and Brett S. Sylvester, Reg. No. 32,765, my  
attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and  
request that all correspondence about the application be addressed to SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC, 2100  
Pennsylvania Avenue, N.W., Washington, D.C. 20037-3202.

書類の送付先：

Send Correspondence to:

SUGHRUE, MION, ZINN, MACPEAK & SEAS  
2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037

直通電話連絡先： (名称及び電話番号)

Direct Telephone Calls to: (name and telephone number)

(202)293-7060

唯一の又は第一の発明者の氏名	Full name of sole or first inventor
	Kentaro KONISHI
同発明者の署名	Inventor's signature
日付	Date
	小西 健太 氏 September 21, 2001
住所	Residence
	Shibuya-Ku, Tokyo, JAPAN
国籍	Citizenship
	JAPAN
郵便の宛先	Post office address
	c/o SCALE INC., 3F, Hiroo-ON Bldg, 5-19-9, Hiroo, Shibuya-Ku, Tokyo
	150-0012, JAPAN
第二の共同発明者の氏名 (該当する場合)	Full name of second joint inventor, if any
	Masaki USUI
同第二発明者の署名	Second inventor's signature
日付	Date
	白井 正樹 September 21, 2001
住所	Residence
	Shibuya-Ku, Tokyo, JAPAN
国籍	Citizenship
	JAPAN
郵便の宛先	Post office address
	c/o SCALE INC., 3F, Hiroo-ON Bldg, 5-19-9, Hiroo, Shibuya-Ku, Tokyo
	150-0012, JAPAN

(第三又はそれ以降の共同発明者に対しても同様な情報  
および署名を提供すること。)

(Supply similar information and signature for third and  
subsequent joint inventors.)

第三の共同発明者の氏名 (該当する場合)		Full name of third joint inventor, if any Tatsuya OKAHARA	
同第三発明者の署名	日付	Third inventor's signature 岡原 達也	Date September 21, 2001
住所		Residence Shibuya-Ku, Tokyo, JAPAN	
国籍		Citizenship JAPAN	
郵便の宛先		Post office address c/o SCALE INC., 3F, Hiroo-ON Bldg, 5-19-9, Hiroo, Shibuya-Ku, Tokyo	
		150-0012, JAPAN	
第四の共同発明者の氏名 (該当する場合)		Full name of fourth joint inventor, if any	
同第四発明者の署名	日付	Fourth inventor's signature	Date
住所		Residence	
国籍		Citizenship	
郵便の宛先		Post office address	
第五の共同発明者の氏名 (該当する場合)		Full name of fifth joint inventor, if any	
同第五発明者の署名	日付	Fifth inventor's signature	Date
住所		Residence	
国籍		Citizenship	
郵便の宛先		Post office address	
第六の共同発明者の氏名 (該当する場合)		Full name of sixth joint inventor, if any	
同第六発明者の署名	日付	Sixth inventor's signature	Date
住所		Residence	
国籍		Citizenship	
郵便の宛先		Post office address	

07/30/01



U.S. PTO

**Sughrue**

SUGHRUE MION ZINN MACPEAK & SEAS, PLLC

Richard C. Turner

T 202-663-7935  
dturner@sughrue.com

10-5-2001  
7-3-01

July 30, 2001

**BOX PCT**

Commissioner for Patents  
Washington, D.C. 20231

PCT/JP00/00481  
-filed January 28, 2000

2100 Pennsylvania Avenue, NW  
Washington, DC 20037-3213

T 202.293.7060  
F 202.293.7860

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Menlo Park, CA 94025-4345

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Toei Nishi Shimbashi Bldg. 4F  
13-5 Nishi Shimbashi 1-Chome  
Minato-Ku, Tokyo 105-0003  
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T 03.3503.3760  
F 03.3503.3756

www.sughrue.com



Re: Application of KENTARO KONISHI, MASAKI USUI and  
TATSUYA OKAHARA  
TIME-SERIES DATA PROCESSING DEVICE AND METHOD  
Assignee: SCALE INC.  
Our Ref: Q65606



Dear Sir:

This is a request for a Continuation Application of KENTARO KONISHI, MASAKI USUI and TATSUYA OKAHARA pending prior Application No. PCT/JP00/00481 filed January 28, 2000 entitled TIME-SERIES DATA PROCESSING DEVICE AND METHOD.

This application is being filed under 37 C.F.R. § 1.53(b). Enclosed is a specification, including the claims and Abstract, 73 sheets of drawings and an Information Disclosure Statement, with Form PTO-1449 listing known references.

**PLEASE NOTE: This application is being filed as a Continuation of PCT/JP00/00481 pursuant to MPEP §§1895 and 1896.**

The Declaration and Power of Attorney, English translation of the International Application, Assignment and Preliminary Amendment will be submitted at a later date.

It is assumed that copies of the International Application, the International Search Report, the International Preliminary Examination Report, Written Opinion and any Articles 19 and 34 amendments as required by § 371(c) will be supplied directly by the International Bureau, but if further copies are needed, the undersigned can easily provide them upon request.

Assignment for published patent application is: **SCALE INC..**

**Applicants claim benefit of small entity status in accordance with 37 CFR § 1.27.**

**Please cancel claims 2-27.**

09915989-073001



**Sughrue**

SUGHRUE MION ZINN MACPEAK & SEAS, PLLC

The Government filing fee is calculated as follows (**Small Entity fees apply**):

Total claims	<u>1</u>	-	20	=		x	\$9.00	=	<u>\$0.00</u>
Independent claims	<u>1</u>	-	3	=		x	\$40.00	=	<u>\$0.00</u>
Base Fee									<u>\$430.00</u>

**TOTAL FEE**

\$430.00

A check for the statutory filing fee of \$430.00 is attached. You are also directed and authorized to charge or credit any difference or overpayment to Deposit Account No. 19-4880. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.492 which may be required during the entire pendency of the application to Deposit Account No. 19-4880. A duplicate copy of this transmittal letter is attached.

Priority is claimed from January 29, 1999 based on Japanese Patent Application No. 11-230711. The priority document will be submitted later.

Respectfully submitted,

Richard C. Turner  
Registration No. 29,710

SUGHRUE, MION, ZINN,  
MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, D.C. 20037-3213  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

Date: July 30, 2001

100E20-6866T660